

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

99-CR-6072L

v.

ART WILLIAMS,

Defendant.

The defendant, Art Williams (“Williams”), was sentenced in 2003 and, in addition to a sentence of imprisonment, was ordered to pay a fine and penalty assessment. In an effort to collect monies due, the Government discovered that a modest sum, \$80.95, was being held as unclaimed funds by the State of New York. Therefore, the Government issued a Writ of Execution on the State of New York and, pursuant to the Writ, the monies were forwarded to the Clerk of Court to be applied toward the balance of the fine and penalty assessments. By motion (Dkt. #272), Williams moved to contest or quash the Writ. The Government duly responded (Dkt. #274).

Principally for the reasons set forth in the Government’s Response, I deny defendant’s motion to quash. It is clear that Williams remains indebted to the Government based on this Court’s sentence, and funds held in his name may be seized to satisfy the debt. There is no legal or factual reason to preclude the Government’s seizure of these funds.

CONCLUSION

Defendant Art Williams' motion to contest/quash the Writ of Execution (Dkt. #272) is in all respects denied.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
August 1, 2013.